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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,890	02/20/2004	Ashish A. Pandya	2103110-991180	7628
26379	7590	06/26/2006	EXAMINER	
DLA PIPER RUDNICK GRAY CARY US, LLP			NGUYEN, HANH N	
2000 UNIVERSITY AVENUE			ART UNIT	
E. PALO ALTO, CA 94303-2248			PAPER NUMBER	

2616

DATE MAILED: 06/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/783,890

Applicant(s)

PANDYA, ASHISH A.

Examiner

Hanh Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-19, 26-38, 40-60 are rejected under 35 U.S.C. 102(b) as being anticipated by Williams (U.S. Patent 6,304,973 B1).

Regarding claims 1, 9, 10, 26, 28, 34, 40, 45, 55 and 58, Williams teaches a security network system 10 (see figures 1) that operates by providing security at layer-3 and multi-level security as well (providing multilevel security; see col.4, lines 25-35). The network 10 comprises one or more network systems of one or more types (see fig.1. network 10 comprises local Lans 5 and 20; see col.6, lines 42-55). Refer to Fig.4, multiple layer security is shown in Regions B and C to provide security to the network, but operate at different layers of the OSI model (see col.9, lines 10-50). For instance, region B operates by providing layer-3 security protection (i.e. encryption) that ensures communication secrecy in the network (see col.9, lines 15-25). Region C, however, operates by providing layer-4 security protection in the same network as region B (see col.9, lines 40-50). As described above, encryption is performed, and is handled by a security processing engine or security device 18, the complete processing explanation for security device 18 is described in detail in col.9, lines 15-25. Williams further discloses a remote direct memory access in the hardware (claims 9, 34, 40, 45, 55, 58; fig.8, security device 40 including an Internal system RAM 54; see col.19, lines 40 to col.20, line 5).

Regarding claims 27, 31, 52, further with reference to the above discussion regarding claim 1, Williams teaches a unique policy driver (see (0032)) used to set up the hardware to handle the enforcement of policy rules, and where the policy is in the form of a software driver and handled by a central manager device (DAC) (see (0129)). William further discloses that host computer 14 comprises TCP/IP protocol stack running at layer 4 protocol (see col.9, lines 40-50).

Regarding claims 3 and 11, the central manager and security policy software is set up on a network system to comply with the security policy (see (0129)).

Regarding claims 4 and 12, the network security policies are compiled and enforced based on rules (see (0066)).

Regarding claims 5 and 13, the network security is based on rules for layers 2-4 (see figure 4).

Regarding claims 6 and 14, the network security system provides support for DES and 3DES (see (0032)).

Regarding claims 7 and 15, the network security policies are executed via a processor (see (0149)).

Regarding claims 8 and 16, the network system provides counter attack services (see (0032)).

Regarding claim 9, the network security policies are enforced based on rules (see (0066)). Regarding claim 10, the network includes a remote memory access capability over the Internet 30 (see (0236) and figure 14).

Regarding claims 17, 18, the network security system uses a UNIX server (see (0093)).

Regarding claim 19, the network security system includes packet header processing (see figure 5).

Regarding claims 50, 51, Williams teaches most of the above described features. Williams further discloses a programmable rule processing engine for analyzing network traffic for security rule matching (NSC 12 verifies authentication and receives reports of security relevant occurrences from security device 18. The security reports are logged and examined later for potential security violation; see col.18, lines 5-30).

Regarding claims 29, 30, 33, 35-38, 41-44, 46-49, 53, 54, 56, 57, 59 and 60 are rejected because they depend on claims 28, 31, 34, 40, 45, 52, 55, 58.

Regarding claim 32, the limitations of this claim has been addressed in claim 1, 2, 9.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 20-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams in view of Twomey (U.S. Patent Application No. 2003/0131228). Williams teaches all of the above described features, however, Williams is silent regarding a storage area network (SAN). Twomey discloses a system for a SAN that handles both secure and regular types of network security (see(0027, 41, 44, 47) processing packets based on security protocols such Ipv6, AH or ESP protocols). Motivation to combine the SAN of Twomey with

the security network of Williams is evident from the background portions of their respective specifications. For instance, Williams discloses the need for security networks that operate at various layers of the network layer hierarchy and provide centralized administration to prevent unauthorized parties from accessing a private network (see (0025)). Similarly, Twomey discloses the need to provide encryption for a network system to prevent unauthorized access to a private network (see (00341)). The system includes a security processor for handling secure data traffic and utilizes security protocols (i.e. Ipsec; see paragraphs (44, 47 fig.4)). Therefore, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to have combined these two network security systems to arrive at the features disclosed in claim 2. Further, claims 20-25 are disclosed in Williams, as indicated above with respect to the discussions for claims 3-10.

Response to Arguments

Applicant's arguments filed on 3/20/06 have been fully considered but they are not persuasive.

In claims 1, 2 and 26, Applicant argues that Williams does not disclose a plurality of one or more network systems comprising a hardware processor providing transport layer protocol processing and multiple protocol layer security.

Examiner believes that Williams discloses a plurality of one or more network systems (see fig.1, local Lan 20) comprising a hardware processor (comprises a network security controller 12) providing transport layer protocol processing (providing a network layer-3 security via a security NIC 18) and multiple protocol layer security (see Abstract and col.4, lines

25-35 and col.10, lines 55-65; allowing trusted users to access outside information, Internet, while stopping outside attackers at their point of entry. At the same time, limit an insider to information defined in a particular security profile).

Applicant further argues from what paragraph in the office action that region C provides layer-4 security. In Williams, region C includes host computers 14, server 16, TCP/IP protocol stack, application user program and users. IP runs at layer 3; TCP/UDP run at layer 4; and application protocol runs at layer 7 (see col.9, lines 40-50). Region C provides not only at layer-4 but also at layers 3 and 7 (multiple security protection).

Further in claim 2, with all features taught by Williams in claim 1 and described above in term of multiple security layer, Twomey discloses that SAN 16 process packets accordance to security protocols (see(0027, 41, 44, 47) including Ipsec, AH or ESP protocols). It is believed that the combination of Twomey with Williams should arrive the claimed features including a storage network processing multiple security level.

In claim 9, Applicant argues that Williams does not disclose a remote direct memory access. Applicant is directed to fig.8, which shows a security device 40 including an Internal system RAM 54; see col.19, lines 40 to col.20, line 5.

In claim 27, applicant argues that William does not disclose the hardware processor providing a protocol processing stack. Williams discloses that host computer 14 comprises TCP/IP protocol stack running at layer 4 protocol (see col.9, lines 40-50).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is 571 272 3092. The

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examiner can normally be reached on Monday-FRiday from 8:30 to 4:30. The examiner can also be reached on alternate

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571 272 7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hanh Nguyen

A handwritten signature in black ink, appearing to read 'HNguyen', with a stylized, cursive script.

**HANH NGUYEN
PRIMARY EXAMINER**